

40-72 were examined. Claims 1, 5, 9, 13, 15, 17, 19, 21, 22, 24, 26-29, 40, 52-54, and 70-72 have been amended. Claims 82-84 have been added. Thus, upon entry of the requested amendments, claims 1-29, 40-72, and 82-84 will be pending. A marked-up copy of the amended claims is attached as Appendix A in compliance with Rule 121. A clean, unofficial copy of the claims in amended form is attached as Appendix B for the Office's convenience.

B. Claims 5 and 9

The Office rejects claims 5 and 9 as being indefinite. Applicant respectfully traverses.

Claim 5 has been amended to recite that the claimed anchoring structure includes the first brace. Support for this amendment is found, for example, on page 18 at lines 18-19 of Applicant's specification, which specifies that one anchoring structure to which brace 30 from FIG. 2 can be coupled includes first leg 12. Thus, brace 30 would be coupled to both a first leg (e.g., second leg 14 – see page 17, lines 14-16) and an anchoring structure that includes a second leg (e.g., first leg 12). Claim 5 is definite.

Claim 9 has been amended to remove the word “first” from the phrase “first anchoring structure.” This corrects an inadvertent error, and renders claim 9 definite.

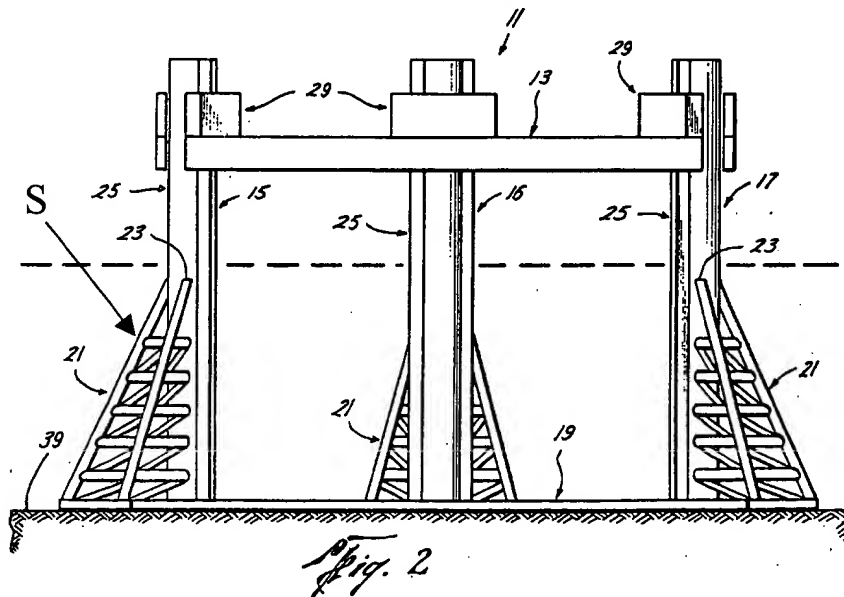
C. The Claims Are Patentable Over Dysarz

The Office rejects claims 1, 2, 6, 7, 10-29, 40, 41, 43-45, 48-60, 62, 63, 66, 67, and 69-72 as being anticipated by U.S. Patent No. 4,388,024 to Dysarz (Dysarz). Claims 1, 13, 15, 17, 19, 21, 22, 24, 26-29, 40, 52-54, and 70-72 have been amended to recite that the portion of the brace length in question is positioned **directly** beneath the platform of the vessel. Support for this amendment appears in Applicant's figures depicting one or more braces coupled to one or more vessel legs. See, e.g., FIGS. 2, 16, 17, 18, 21C, 21D, 21F, 22A-24B. Applicant respectfully traverses the Office's rejection.

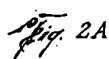
1. Independent Claim 1

Claim 1 has been amended for the limited purpose of distinguishing Dysarz. Claim 1 is directed to a system useful in stabilizing a vessel. The vessel includes a first leg, a second leg, a third leg, and a platform coupled to the first, second, and third legs. The system of claim 1 includes a first brace that is coupled to the first leg at a first location along the first brace. The first brace forms an acute angle with the first leg. An anchoring structure is coupled to the first brace at a second location along the first brace. The first and second locations define a first brace length between them, and at least a portion of that first brace length is located directly beneath the platform. Dysarz lacks such a first brace with such a portion.

The Office identifies elements 21 and 349 from Dysarz as braces. Dysarz describes element 21 as a portion of one of the legs 15, 16, and 17, which portion has a cross section that decreases from its lowermost portion to its uppermost portion. Col. 4, lines 48-55. As shown in FIG. 2, no portion of any of the slanted structural elements that make up element 21 (identified below with "S") is located directly beneath platform 13:



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Furthermore, nothing in Dysarz suggest that the platform or the slanted structural elements should be modified in such a way that a portion of those slanted structural elements would be directly beneath the platform. In fact, Dysarz **teaches away** from such a configuration. Dysarz teaches that the jacking means used to raise and lower mat 19 relative to platform 13 should be one that allows mat 19 to be positioned “just beneath platform 13 (see FIG. 1).” Were any portion of the slanted structural elements on which the Office relies positioned directly beneath platform 13, mat 19 could not be positioned just beneath platform 13 – the slanted structural elements would physically be in the way. Thus, Dysarz teaches away from the “directly beneath” limitation of claim 1.

The other purported braces from Dysarz on which the Office relies are also deficient. Elements 349 are cables, no portions of which are directly beneath platform 13’:

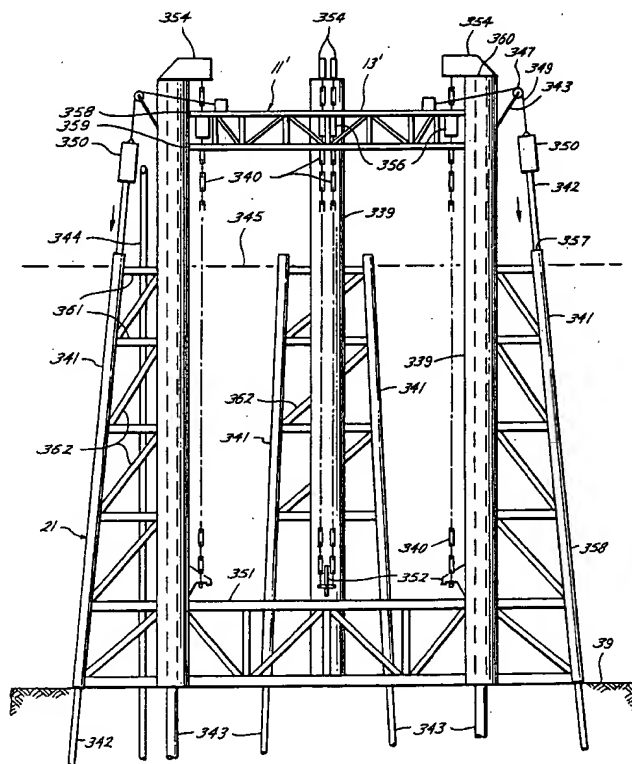


Fig. 39

In addition, while chains 340 appear to be positioned directly beneath platform 13', none of them forms an acute angle with the legs to which they are coupled: they are parallel to those legs. Moreover, Dysarz lacks any motivation to orient chains 340 at an acute angle with respect to the legs to which they are coupled because chains 340 are the chains along which platform 13' is raised and lowered (see col. 9, lines 32-36). Angling the chains would make the jacking process more difficult.

For at least these reasons, independent claim 1 and all its dependent claims are patentable over Dysarz. Applicant respectfully requests that these claims be allowed.

2. Independent Claim 40

Claim 40 has been amended for the limited purpose of distinguishing Dysarz. Claim 40 is directed to a vessel. The vessel includes a platform; three legs coupled to the platform such that the platform may be raised or lowered along the three legs; a flexible brace coupled to each of the three legs at a first location along each flexible brace, each flexible brace forming an **acute angle** with its respective leg; and an anchoring structure coupled to each flexible brace at a second location along each flexible brace, the first and second locations along each flexible brace defining a flexible brace length between them. At least a portion of each flexible brace length is located directly beneath the platform.

Dysarz lacks the flexible braces of claim 40 because the chains on which the Office relies are not oriented at an acute angle with respect to the legs to which they are coupled. This is clear from FIGS. 39 and 40 of Dysarz. Dysarz fails to suggest angling the chains because doing so would make the jacking process more difficult.

For at least these reasons, independent claim 40 and all its dependent claims are patentable over Dysarz. Applicant respectfully requests that these claims be allowed.

3. Independent Claim 54

Claim 54 has been amended for the limited purpose of distinguishing Dysarz. Claim 54 is directed to a method useful in stabilizing a vessel that has a platform and three or more legs coupled to the platform such that the platform may be raised or lowered along the legs. The method includes coupling a first brace to one of the legs; orienting the first brace at an **acute angle** with the leg to which it is coupled; and positioning at least a portion of the first brace directly beneath the platform.

For at least the same reasons expressed above with respect to claim 1, Dysarz fails to teach or suggest the orientation and positioning steps that are claimed. Accordingly, independent claim 54 and all its dependent claims are patentable over Dysarz. Applicant respectfully requests that these claims be allowed.

D. The Obviousness Rejections Are Overcome

The Office rejects claims, 3, 4, 8-9, 42, 46, 47, 61, 64, 65, and 68 as being obvious over either Dysarz or Dysarz in combination with various other references. All of these claims are dependent from patentable independent claims, as set forth above, and should therefore be allowed. Accordingly, Applicant need not further address the Office's obviousness rejections.

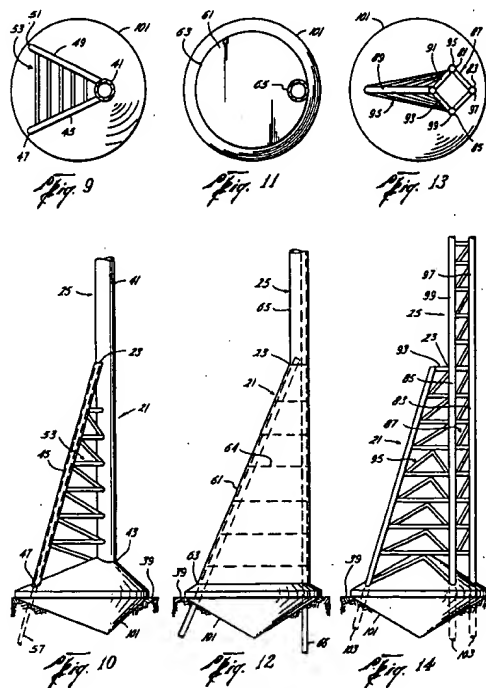
Even assuming for arguments sake that the Office's characterizations supporting its obviousness rejections are correct, those characterizations do not cure the deficiencies of Dysarz, the primary reference on which the Office relies in each rejection. Applicant reserves the right to further address the Office's arguments supporting its obviousness rejections in the future, should doing so become necessary.

E. The New Claims Are Patentable

New claims 82 and 83 are patentable over the cited art because they depend from patentable independent claims. Accordingly, Applicant requests that these claims be allowed.

New independent claim 84 is directed to a vessel. The vessel includes a platform; three legs coupled to the platform such that the platform may be raised or lowered along the three legs; a footing structure coupled to an end of one of the legs; and a **flexible** brace coupled at two different locations to the leg with the footing structure. The flexible brace forms an acute angle with that leg. One of the two claimed locations is on the footing structure. This claim is patentable over the cited art because the cited art fails to teach or suggest the claimed flexible brace.

The only structures in Dysarz that is even arguably in contact (not necessarily coupled) with a leg at two different locations, one of them being on a footing structure, are the angled leg cords shown in FIGS. 9-14 (for example, elements 45 and 61 in FIGS. 10 and 12):



However, those leg cords are not flexible, and nothing in Dysarz suggests that they should be flexible. *See* col. 6, line 38 – col. 7, line 6. Moreover, the none of the other cited references cures Dysarz's defect. Applicant therefore respectfully requests that this new claim be allowed.

F. Petition for Extension of Time

Pursuant to 37 C.F.R. § 1.136(a), Applicant petitions for an extension of time of three months up to and including June 2, 2003 in which to respond to the Office Action dated December 2, 2002. The Commissioner is authorized to deduct the process fee for this three-month extension of time, along with any additional fees under 37 C.F.R. §§ 1.16 to 1.21 required for any reason relating to the enclosed materials, from Fulbright & Jaworski Deposit Account No.: 50-1212/DGSN:002US/MTG.

G. Conclusion

Applicant respectfully submits that claims 1-29, 40-72, and 82-84 are in condition for allowance. Should Examiner Singh have any questions concerning this application, he is invited to contact Applicant's attorney at (512) 536-3031.

Respectfully submitted,



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APPENDIX A – MARKED-UP COPY OF AMENDED CLAIMS
FOR SERIAL NO. 09/823,909

1. (Amended) A system useful in stabilizing a vessel, the vessel including a first leg, a second leg, a third leg, and a platform coupled to the first, second, and third legs, the system comprising:

a first brace coupled to the first leg at a first location along the first brace, the first brace

forming an acute angle with the first leg; and

an anchoring structure coupled to the first brace at a second location along the first brace,

the first and second locations along the first brace defining a first brace length

between them;

wherein at least a portion of the first brace length is located directly beneath the platform.

5. (Amended) The system of claim 2, wherein the anchoring structure include the first brace [is coupled to the second leg at a third location along the first brace].

9. (Amended) The system of claim 1, wherein one or more racks are secured to the first leg, and wherein the [first] anchoring structure includes a ring coupled to the platform, the ring having a holding rack configured to engage one of the one or more racks.

13. (Amended) The system of claim 1, further comprising:

a second brace coupled to the first leg at a first location along the second brace, the

second brace forming an acute angle with the first leg; and

an anchoring structure coupled to the second brace at a second location along the second brace, the first and second locations along the second brace defining a second brace length between them;
wherein at least a portion of the second brace length is located directly beneath the platform.

15. (Amended) The system of claim 13, further comprising:
a third brace coupled to the first leg at a first location along the third brace, the third brace forming an acute angle with the first leg; and
an anchoring structure coupled to the third brace at a second location along the third brace, the first and second locations along the third brace defining a third brace length between them;
wherein at least a portion of the third brace length is located directly beneath the platform.
17. (Amended) The system of claim 1, further comprising:
a second brace coupled to the second leg at a first location along the second brace, the second brace forming an acute angle with the second leg; and
an anchoring structure coupled to the second brace at a second location along the second brace, the first and second locations along the second brace defining a second brace length between them;
wherein at least a portion of the second brace length is located directly beneath the platform.

19. (Amended) The system of claim 17, further comprising:
a third brace coupled to the second leg at a first location along the third brace, the third brace forming an acute angle with the second leg; and
an anchoring structure coupled to the third brace at a second location along the third brace, the first and second locations along the third brace defining a third brace length between them;
wherein at least a portion of the third brace length is located directly beneath the platform.
21. (Amended) The system of claim 19, further comprising:
a fourth brace coupled to the second leg at a first location along the fourth brace, the fourth brace forming an acute angle with the second leg; and
an anchoring structure coupled to the fourth brace at a second location along the fourth brace, the first and second locations along the fourth brace defining a fourth brace length between them;
wherein at least a portion of the fourth brace length is located directly beneath the platform.
22. (Amended) The system of claim 17, further comprising:
a third brace coupled to the third leg at a first location along the third brace, the third brace forming an acute angle with the third leg; and
an anchoring structure coupled to the third brace at a second location along the third brace, the first and second locations along the third brace defining a third brace length between them;

wherein at least a portion of the third brace length is located directly beneath the platform.

24. (Amended) The system of claim 22, further comprising:

a fourth brace coupled to the third leg at a first location along the fourth brace, the fourth brace forming an acute angle with the third leg; and

an anchoring structure coupled to the fourth brace at a second location along the fourth brace, the first and second locations along the fourth brace defining a fourth brace length between them;

wherein at least a portion of the fourth brace length is located directly beneath the platform.

26. (Amended) The system of claim 24, further comprising:

a fifth brace coupled to the third leg at a first location along the fifth brace, the fifth brace forming an acute angle with the third leg; and

an anchoring structure coupled to the fifth brace at a second location along the fifth brace, the first and second locations along the fifth brace defining a fifth brace length between them;

wherein at least a portion of the fifth brace length is located directly beneath the platform.

27. (Amended) The system of claim 22, the vessel further having a fourth leg, and the system further comprising:

a fourth brace coupled to the fourth leg at a first location along the fourth brace, the fourth brace forming an acute angle with the fourth leg; and

an anchoring structure coupled to the fourth brace at a second location along the fourth brace, the first and second locations along the fourth brace defining a fourth brace length between them;
wherein at least a portion of the fourth brace length is located directly beneath the platform.

28. (Amended) The system of claim 27, the vessel further having a fifth leg, and the system further comprising:

a fifth brace coupled to the fifth leg at a first location along the fifth brace, the fifth brace forming an acute angle with the fifth leg; and
an anchoring structure coupled to the fifth brace at a second location along the fifth brace, the first and second locations along the fifth brace defining a fifth brace length between them;
wherein at least a portion of the fifth brace length is located directly beneath the platform.

29. (Amended) The system of claim 28, the vessel further having a sixth leg, and the system further comprising:

a sixth brace coupled to the sixth leg at a first location along the sixth brace, the sixth brace forming an acute angle with the sixth leg; and
an anchoring structure coupled to the sixth brace at a second location along the sixth brace, the first and second locations along the sixth brace defining a sixth brace length between them;

wherein at least a portion of the sixth brace length is located directly beneath the platform.

40. (Amended) A vessel comprising:

a platform;

three legs coupled to the platform such that the platform may be raised or lowered along the three legs;

a flexible brace coupled to each of the three legs at a first location along each flexible brace, each flexible brace forming an acute angle with its respective leg;

an anchoring structure coupled to each flexible brace at a second location along each flexible brace, the first and second locations along each flexible brace defining a flexible brace length between them;

wherein at least a portion of each flexible brace length is located directly beneath the platform.

52. (Amended) The vessel of claim 40, further comprising:

a fourth leg coupled to the platform such that the platform may be raised or lowered along the four legs; and

a fourth brace coupled to the fourth leg at a first location along the fourth brace, the fourth brace forming an acute angle with the fourth leg; and

an anchoring structure coupled to the fourth brace at a second location along the fourth brace, the first and second locations along the fourth brace defining a fourth brace length between them;

wherein at least a portion of the fourth brace length is located directly beneath the platform.

53. (Amended) The vessel of claim 52, further comprising:

a fifth leg coupled to the platform such that the platform may be raised or lowered along the five legs; and

a fifth brace coupled to the fifth leg at a first location along the fifth brace, the fifth brace forming an acute angle with the fifth leg; and

an anchoring structure coupled to the fifth brace at a second location along the fifth brace, the first and second locations along the fifth brace defining a fifth brace length between them;

wherein at least a portion of the fifth brace length is located directly beneath the platform.

54. (Amended) A method useful in stabilizing a vessel, the vessel having a platform and three or more legs coupled to the platform such that platform may be raised or lowered along the legs, the method comprising:

coupling a first brace to one of the legs;

orienting the first brace at an acute angle with the leg to which it is coupled; and

positioning at least a portion of the first brace directly beneath the platform.

70. (Amended) The method of claim 54, further comprising:

coupling a second brace to one of the other two legs;

orienting the second brace at an acute angle with the leg to which it is coupled; and

positioning at least a portion of the second brace directly beneath the platform.

71. (Amended) The method of claim 70, further comprising:

coupling a third brace to the third leg;

orienting the third brace at an acute angle with the third; and

positioning at least a portion of the third brace directly beneath the platform.

72. (Amended) The method of claim 71, wherein the vessel includes a fourth leg coupled to the platform such that the platform may be raised or lowered along the four legs, the method further comprising:

coupling a fourth brace to the fourth leg;

orienting the fourth brace at an acute angle with the fourth leg; and

positioning at least a portion of the fourth brace directly beneath the platform.